

CERTIFICATE OF MAILING 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

June 28, 2005 ·

Date

Shelley P.M. Fussey

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe and Rolf A. Brekken

Serial No.: 10/738,404

Filing Date: December 17, 2003

For: ANTI-VEGF ANTIBODY PRODRUG

METHODS (As Amended)

Group Art Unit: 1642

Examiner: Yaen, C.

Atty. Dkt. No.: 3999.002587

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that the present Supplemental Information Disclosure Statement be entered and the document listed on the enclosed Form PTO-1449 be considered by the Examiner and made of record in the present case. According to 37 C.F.R. § 1.98(a)(2)(ii), copies of listed U.S. patents are no longer required.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the

receipt of a first Official Action reflecting an examination on the merits and hence is timely filed

in accordance with 37 C.F.R. § 1.97(b). Therefore, no fees should be due in connection

herewith. Even if an Official Action had been issued in the last few days, no fees would be

required in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), it is hereby certified that the document listed

in the accompanying Form PTO-1449 was not cited in a communication from a foreign patent

office in a foreign counterpart to the present application. The listed document was cited in an

Official Action on the merits in a co-pending application of one of the present inventors, U.S.

Application Serial No. 09/998,833 (Attorney Docket No. 4001.002299), mailed from the P.T.O.

on March 28, 2005, and could not have been submitted before receipt. The present statement is

being filed within three months of the date of the referenced Official Action, and is thus timely.

No fees are due in connection with the filing of this Supplemental Information Disclosure

Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for

any reason, the Examiner should contact the undersigned representative to discuss deduction

from Peregrine Pharmaceuticals, Inc. Deposit Account No. 50-3493/3999.002587.

Respectfully submitted,

PEREGRINE PHARMACEUTICALS, INC.

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Date: June 28, 2005

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Form PTO-1449 (modified)				Temp. Atty. Docket No. 3999.002587			Serial No. 10/738,404		
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT					Applicant Thorpe <i>et al.</i>				
(Use several sheets if necessary)				Filing Date: December 17, 2003			Group: 1642		
U.S. Patent Documents See Page 1			Foreign Patent See Pa		Documents	Other Art See Page 1			
			U.S. Pate	nt D	ocuments				
Exam. Init.	Ref. Des.	Document Number	Date	!	Name	Class	s Sub Class	Filing Date of App.	
	A72	5,725,856	March 10,	1998	Hudziak, et al.	424	130.1		
			oroign Pa	toni	Dogument				
Exam. Init.	am. Ref. Document		Dat		Country	Class	S Sub Class	Translation Yes/No	
	Other .	Art (Includin	g Author	, Titl	e, Date Pert	inent	Pages,	Etc.)	
Exam. Init.	Ref. Des.			Citation					
Examiner:				DATE CONSIDERED:					

Information Disclosure Statement — PTO-1449 (Modified)